

1 JON M. SANDS  
Federal Public Defender  
2 **ANNAMARIE L. VALDIVIA**  
Assistant Federal Public Defender  
3 Arizona Bar No. 026555  
4 407 W. Congress St., Suite 501  
Tucson, AZ 85701  
5 Telephone: (520) 879-7500  
6 *Email: Annamarie\_Valdivia@fd.org*  
Attorney for Josue Lopez Quintana

7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE DISTRICT OF ARIZONA**

10 United States of America,

11 Plaintiff,

12 vs.

13 Josue Lopez Quintana,

14 Defendant.  
15

**No. 4:22-cr-02232-JGZ-1**

**SENTENCING MEMORANDUM**

**Hearing Date: February 3, 2023**

16  
17 Defendant, Josue Lopez Quintana (“Mr. Lopez Quintana”) through undersigned  
18 counsel, Annamarie Valdivia, submits the attached memorandum for this Court’s  
19 consideration at the time of sentencing pursuant to Fed.R.Crim.P. 32, *Gall v. United States*,  
20 552 F.3d 38 (2007) and the Eighth Amendment to the United States Constitution.

21  
22 Mr. Lopez Quintana is a criminal history category I and he has no prior criminal  
23 history. Mr. Lopez Quintana respectfully requests that this Court sentence in accordance  
24 with the recommendations of the United States Probation Office and the United States  
25 Attorney. Such a finding would be “sufficient, but not greater than necessary, to comply  
26 with the purposes set forth in” 18 U.S.C § 3553(a).  
27  
28

1  
2 Mr. Lopez Quintana was forthcoming with the agents that detained and interviewed  
3 him. He plead swiftly in this case waiving his trial and his appellate rights and has  
4 performed well on pretrial services. Mr. Lopez Quintana is gainfully employed, and he  
5 does abuse drugs or alcohol. He abstained from using marijuana while on supervision. Mr.  
6 Lopez Quintana has an extremely supportive network of friends and family, and he does  
7 not suffer from any mental or physical ailments. All of these positive factors illustrate that  
8 he is at low risk to recidivate.  
9  
10

11 Based on the above, Mr. Lopez Quintana respectfully requests that this Court impose a  
12 sentence of probation. He does not object to recommended conditions as contained in the  
13 Final Presentence Investigation Report (Doc. 36).  
14  
15  
16

17 RESPECTFULLY SUBMITTED: January 30, 2023.

18 JON M. SANDS  
19 Federal Public Defender

20 s/Annamarie L. Valdivia  
21 **ANNAMARIE L. VALDIVIA**  
22 Assistant Federal Public Defender

23 Copy sent *via* CM/ECF to: Jane Westby, Assistant United States Attorney  
24  
25  
26  
27  
28